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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,670	06/05/2001	Nigel Andrew Justin Davies	80398P394	7529

7590 05/17/2005

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EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/875,670

Applicant(s)

DAVIES ET AL.

Examiner

Mohammad A. Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02/22/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-10,19,25-29,33 and 35-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-10,19,25-29,33 and 35-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1, 3-10, 19, 25-29, 33, and 35-46 are presented for examination. Claims 2, 11-18, 20-24, 30-32, and 34 have been cancelled. Claims 44-46 are new.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-10, 19, 25-29, 33, and 35-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng et al. (US 2001/0032273) (hereinafter Cheng) in view of Yamadaji et al. (6,694,363) (hereinafter Yamadaji).

4. As per claim 1, Cheng discloses a controller (page 1, paragraph #0006) comprising at least one Home Audio Visual Initiative (HAVi) server (page 3, paragraph #0031) that communicates with at least one HAVi

compliant device (page 2, paragraph #0024) using a HAVI application programming interface (API) (page 1, paragraph #0011) and further communicates with at least one proxy (page 2, paragraph #0027) on at least one Internet Protocol (IP) device (page 2, paragraph #0027) using an IP and HAVi API (page 2, paragraph #0027), the server communicating with the IP device via the Internet protocol (page 3, paragraph #0030), the IP and HAVi API providing API support to translate and relay calls between the proxy and the server so that each one of the at least one HAVi compliant device and the IP device controls the other one of the devices (130,170,fig 2, page 2, paragraph #0028). Cheng does not explicitly disclose functionality of the network equipments such as controller functions. However, HAVi controllers are well known in the art. For example, Yamadaji discloses controller functions (col 2, lines 63-66). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Cheng with Yamadaji because Yamadaji's use of controller device functions would provide "Cheng's HAVi system which can reduce the memory capacity necessary for storing software to control and utilize functions of HAVi compliant devices.

5. As per claim 3, Cheng discloses an IP device control module (DCM), wherein the at least one HAVi compliant device controls the IP device by accessing a DCM associated with the IP device (page 5, paragraph #0055).
6. As per claim 4, Cheng discloses the HAVi compliant device is physically located on the controller (page 3, paragraph #00238).
7. As per claim 5, Cheng fails to disclose a HAVi stack that enables the IP device DCM to be instantiated independently of bus reset events. Yamadaji discloses a HAVi stack that enables the IP device DCM to be instantiated independently of bus reset events (col 6, lines 4-10). It would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of Cheng and Yamadaji. The motivation would have been to have a bus rest of the IEEE 1394 so the topology and ID numbers and like is set again.
8. As per claim 6, Cheng discloses the server communicates with IP devices across a first communication medium and HAVi compliant devices across a second communication medium (180, 330, fig 3, page 3, paragraph #0032).

9. As per claim 7, Cheng fails to disclose the first communication medium is selected from the group consisting of fiber, optical, cable, wire and wireless networks. Yamadaji discloses the first communication medium is selected from the group consisting of fiber, optical, cable, wire and wireless networks (col 8, lines 29-33). It would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of Cheng and Yamadaji. The motivation would have been to employ a system using industry standard networking equipments and platforms.

10. As per claim 8, Cheng does not explicitly disclose wherein the second communication medium is an IEEE 1394 network. Yamadaji discloses the second communication medium is an IEEE 1394 network (col 4, lines 17-18). It would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of Cheng and Yamadaji. The motivation would have been to use industry standard IEEE1394 protocol.

11. As per claim 9, Cheng discloses a stream bridge (page 1, #0009) configured to capture content from a first device of IP and HAVi compliant devices coupled to the controller and relay it to a second device of IP and HAVi compliant devices (page 1-2, paragraph #0011).

12. As per claim 10, Cheng discloses the controller is selected from the group consisting of a HAVi full audio/visual device and an intermediate audio/visual device (page 1, paragraph #0005).

13. As per claim 25, the claim is rejected for same reasons as claim 1, above.

14. As per claim 26, the claim is rejected for same reasons as claim 5, above.

15. As per claim 27, the claim is rejected for same reasons as claim 9, above.

28. As per claim 28, the claim is rejected for same reasons as claim 9, above.

16. As per claim 29, the claim is rejected for same reasons as claim 1, above.

17. As per claim 41, Cheng discloses instantiating (page 5, paragraph #0055) a device control module on the controller, the DCM corresponding to

the Internet Protocol network device (page 2, paragraph #0024), wherein one of the home audio/video network devices controls the Internet Protocol network device by accessing the device control module (tunnel, page 2, paragraph #0024-0025).

18. As per claim 42, the claim is rejected for same reasons as claim 7, above.

19. As per claim 43, the claim is rejected for same reasons as claim 9, above.

20. As per claim 33, the claim is rejected for same reasons as claim 1, above.

21. As per claim 35, the claim is rejected for same reasons as claim 3, above.

22. As per claim 36, the claim is rejected for same reasons as claim 5, above.

23. As per claim 37, the claim is rejected for same reasons as claim 9, above.



24. As per claim 44, the claim is rejected for same reasons as claim 1, above.

25. As per claim 45, the claim is rejected for same reasons as claim 1, above.

26. As per claim 38, the claim is rejected for same reasons as claim 3, above.

27. As per claim 39, the claim is rejected for same reasons as claim 7, above.

28. As per claim 40, the claim is rejected for same reasons as claim 9, above.

29. As per claim 46, the claim is rejected for same reasons as claim 1, above.

30. As per claim 19, Cheng discloses content is streamed between the Internet Protocol network device and the home audio/video network controller (page 1, paragraph #0005).

***Response to Arguments***

31. Applicant's arguments filed 02/22/2005 have been fully considered but they are not persuasive, therefore rejections to claims 1, 3-10, 19, 25-29, 33, and 35-43 is maintained.

32. In the remarks applicants argued that:

A. Cheng does not teach or suggest that HAVi device and the IP device can control each other as claimed.

B. Cheng does not disclose either a proxy or an API as claimed.

33. In response to applicant's argument A, examiner respectfully disagrees. Cheng discloses the IP and HAVi API (220, fig 3, page 2, paragraph #0026, HAVi to web, web to HAVi) providing API support to translate and relay calls between the proxy and the server so that each one of the at least one HAVi compliant device and the IP device controls the other one of the devices (130,170,fig 2, page 2, paragraph #0026 - #0028 HAVi and Web/IP Application Programming Interface is the way to communicate, control and monitor each other via messages).

34. In response to applicant's argument B, examiner respectfully disagrees. Cheng discloses proxy and API (310,320 fig 3, page 2, paragraph #0027).

35. In the light of the forgoing discussion, the Examiner's ultimate legal conclusion is that the subject matter defined by the instant claims would have been obvious within the meaning of 35 U.S.C. 103(a).

36. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

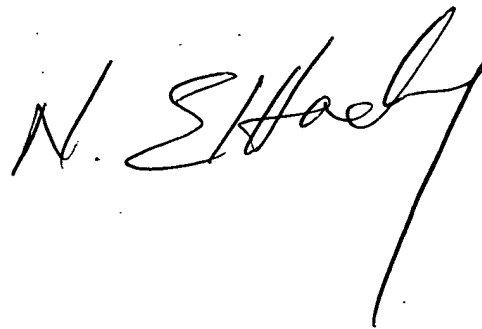
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A. Siddiqi whose

telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS

A handwritten signature in black ink, appearing to read "N. S. Haack", with a long, sweeping vertical stroke extending downwards from the end of the signature.